

November 3, 2008

Election 2008



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The next issue of Capitol Journal will be available on November 10th.

Top Story

A dozen initiatives will appear on CALIFORNIA's election ballot this week, but none has sparked more passion than Proposition 8, the controversial measure to constitutionally ban same-sex marriage.

SNCJ Spotlight

CA gay marriage vote could set national trend

A dozen initiatives will appear on CALIFORNIA's election ballot tomorrow, but none has sparked more passion than Proposition 8, which would reverse a state Supreme Court ruling in May granting same-sex couples the right to wed and constitutionally ban same-sex marriage.

Similar amendments are on the ballot in ARIZONA and FLORIDA, but some religious conservatives seem to view the CALIFORNIA vote as the prelude to Judgment Day.

“This vote on whether we stop the gay-marriage juggernaut in CALIFORNIA is Armageddon,” said Prison Fellowship Ministries founder Charles W. Colson, a former Watergate co-conspirator turned evangelical minister. In a video promoting Prop. 8, Colson said, “We lose this, we are going to lose in a lot of other ways, including freedom of religion.”

“It’s more important than the presidential election,” said Tony Perkins, president of the Family Research Council, a conservative Christian lobby based in Washington, D.C. “We’ve picked bad presidents before, and we’ve survived as a nation,” he said. “But we will not survive if we lose the institution of marriage.”

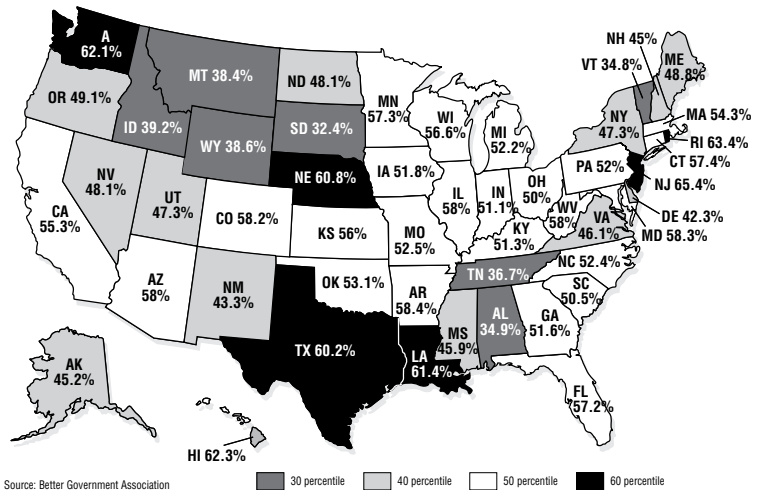
Colson, Perkins and others say CALIFORNIA sets cultural trends for the country and even the world, and if same-sex marriage becomes entrenched in the state, it will be the beginning of the end. So in recent months preachers across the country have been flocking to the Golden State to take up the cause. One of those, Lou Engle, leader of a prayer ministry in Washington D.C. and MISSOURI who moved to the Golden State with his seven children in September, has

“This vote on whether we stop the gay-marriage juggernaut in CALIFORNIA is Armageddon.”

been holding large prayer rallies up and down the state, urging attendees to pray and fast for the 40 days leading up to the election. Engle says Prop. 8 is the physical manifestation of a “spiritual battle in an unseen realm” and “the defining moment for the definition of marriage in American history.”

In sermons, on highway billboards and in TV ads, Prop. 8 backers have been warning that if the measure doesn’t pass, churches that refuse to marry same-sex

Bird’s eye view



Source: Better Government Association

States come up short on good government

The non-partisan Better Government Association (BGA) has released its 2008 BGA-Alper Integrity Index, which ranks states on the basis of their transparency, ethics and government accountability laws. The latest edition (the index was introduced in 2002) rates the states’ performance in five areas of law: open records, whistleblower protections, campaign finance, open meetings, and conflicts of interest. The five top-ranked states, NEW JERSEY, RHODE ISLAND, HAWAII, WASHINGTON and LOUISIANA, generally scored better than the rest of the states in all five categories of law, while the bottom five, MONTANA, TENNESSEE, ALABAMA, VERMONT and SOUTH DAKOTA, generally scored worse across the board. But with the highest-ranked state, NEW JERSEY, earning a combined score of only 65 percent, the association said there was room for improvement in all states.





couples will lose their tax-exempt status, ministers who preach against homosexuality will be jailed and children will be taught about same-sex marriage in school.

Prop. 8 opponents, who include many liberal religious leaders, have dismissed those claims as scare tactics.

“The idea that we would be forced as clergy to perform a marriage that was against our conscience, or that a church would lose its tax-exempt status, is ridiculous,” said the Rev. Karen Sapio, minister of a Presbyterian Church in Southern CALIFORNIA. “If you look dispassionately at the record, there are a lot of churches with policies that are at odds with civil law,” she said, adding, “I have not heard of a single Catholic church forced to marry someone who has been divorced, or a

“It’s more important than the presidential election.”

rabbi forced to perform an interfaith marriage or an evangelical church forced to marry a couple who has been living together.”

Although the “No on 8” campaign draws support from a broader array of interests — including gay and civil rights groups, unions, Hollywood, liberal religious groups and even large companies like Google — the “Yes on 8” camp had until just recently raised far more money. Not that the Prop. 8 opponents were struggling: As of mid-October, both sides had raised nearly \$70 million, far more than all of the other state campaigns to ban same-sex marriage put together.

A poll conducted around the same time by the Public Policy Institute of California showed 52 percent of likely voters opposed the measure, 44 percent supported it and 4 percent were undecided. But the poll’s margin of error was plus or minus three percentage points, and leaders on both sides said polls in every other state that has had a marriage amendment on the ballot have significantly undercounted voters who oppose same-sex marriage.

Prop 8. opponents have one other concern as well. This election is expected to draw a record turnout among African-Americans, who have historically opposed same-sex marriage more than any other cultural group. (NEW YORK TIMES, THE ECONOMIST)

— by *KOREY CLARK & RICH EHISEN*

Upcoming stories

Here are some of the topics you will see covered in upcoming issues of the State Net Capitol Journal:

- **Nuclear power**
- **No Child Left Behind**
- **Election Wrap**

Budget & taxes

BEAR MARKET MAULS STATE PENSION FUNDS: At the start of this fiscal year, CALIFORNIA’s public pension fund — the largest in the nation — held \$239 billion in assets, mostly stocks. As of late last month,

Kenderline and other public retirement fund administrators may get a little help with that from fund accounting practices. Many public pension systems aren't recalculated to determine how much money is needed to adequately fund them until June 30, which will give the market some time to recover. And many funds only recognize gains and losses over a five-year period, to allow for market volatility.

"Pension funds are long-term and designed to ride out short-term volatility," said Keith Brainard, research director for the National Association of State Retirement Administrators. "As with all investors, public pension funds have taken a hit. But they won't have to pay out all of their money next year, either."

For the time being, administrators are likely to be occupying themselves with rooting for bargains in the bear market. As Michael Rosen, a principal with CALIFORNIA-based Angeles Investment Advisors put it, "in this carnage, there are the seeds of some very attractive investment opportunities." (LOS ANGELES TIMES, WASHINGTON POST)

BALLOT MEASURES MAY INCREASE STATES' BUDGET WOES: Tomorrow, over 150 initiatives will appear on state ballots across the country. And some of those measures could place additional pressures on state budgets that are already severely stretched.

Nowhere is the potential budgetary impact of the ballot box greater than in MASSACHUSETTS, where voters will decide whether to do away with the state's personal income tax, which generates about 40 percent of the government's annual revenue. But measures that would reduce or eliminate taxes are also on the ballot in MAINE, NORTH DAKOTA and OREGON. And ARIZONA voters will determine whether to impose tough new restrictions on future ballot initiatives that raise taxes.

CALIFORNIA voters, meanwhile, will consider several ballot initiatives with high price tags, including Proposition 1A, which would authorize the state to

Upcoming elections

10/29/2008 - 11/19/2008

Alabama General Election

US House (All)
US Senate (Jeff Sessions)

Alaska General Election

House (All)
Senate A, C, E, G, I, K, M, O, Q, T
US House (All)
US Senate (Theodore F. Stevens)

Arizona General Election

House (All)
Senate (All)
US House (All)

Arkansas General Election

House (All)
Senate 1, 2, 3, 4, 7, 8, 9, 12, 17, 20, 23,
24, 25, 26, 30, 31, 32, 33
US House (All)
US Senate (Pryor)

California General Election

Assembly (All)
Senate (Odd)
US House (All)

Colorado General Election

House (All)
Senate 4, 8, 10, 12, 14, 16, 17, 18, 19, 21,
23, 25, 26, 27, 28, 29, 31, 33, 35
US House (All)
US Senate (A. Wayne Allard)

Connecticut General Election

House (All)
Senate (All)
US House (All)

Delaware General Election

House (All)
Senate Districts 2, 3, 4, 6, 10, 11, 16, 17, 21
Constitutional Officers:
Governor, Lieutenant Governor,
Insurance Commissioner
US House (All)
US Senate (Joseph R. Biden, Jr.)

District of Columbia General Election

Council Ward 2, Ward 4, Ward 7, Ward 8;
Member at Large
US House (Territory Delegate)

issue \$10 billion in bonds to help fund a high-speed bullet train between Los Angeles and San Francisco.

With the slowing economy sending tax revenues plummeting, state officials across the country are already scrambling to plug growing budget holes. But supporters of the tax-repeal efforts say they're looking at the current economic crisis from taxpayers' point of view, not state governments'.

"The squeezing of people's pockets is all over the news," said Carla Howell, chair of the Committee for Small Government, which backed MASSACHUSETTS' income-tax repeal measure, Ballot Question 1. "People are suffering home foreclosures, bankruptcy, losing jobs and are fearful of losing their credit lines," she said. "Ending the income tax will give back an average of \$3,700 per taxpayer every year, money that families need [now] more than ever."

Opponents of Question 1, including Gov. Deval Patrick (D), who's called it "just a dumb idea," say it would force painful cuts in state services. Nick Johnson, director of the State Fiscal Project at the nonpartisan Center on Budget and Policy Priorities in Washington, D.C., said passage of the initiative would have such a disastrous effect on the state's finances that "it almost defies analysis."

But officials in some states have the exact opposite Election Day concern. For instance, state and local officials in MARYLAND, which is facing a \$437 million budget shortfall this fiscal year and a \$1 billion deficit next year, have vocally supported a ballot measure that would legalize slot-machine gambling in the Old Line State, potentially generating more than \$600 million a year in new revenue.

"It'd be fair to say that local governments in MARYLAND are already feeling the squeeze of economy-driven revenue shortfalls," said Michael Sanderson, legislative director for the MARYLAND Association of Counties. "There are going to be tough decisions ahead at every level of government. A failure of this constitutional amendment would just exacerbate those challenges." (STATELINE.ORG)

Upcoming elections (cont.)

10/29/2008 - 11/19/2008

Florida General Election

House (All)
Senate Odd Seats Plus x
US House (All)

Georgia General Election

House (All)
Senate (All)
US House (All)
US Senate (Saxby Chambliss)

Hawaii General Election

House (All)
Senate 1, 3, 5, 6, 7, 12, 16, 18, 22, 23
US House (All)

Idaho General Election

House (All)
Senate (All)
US House (All)
US Senate (Craig)

Illinois General Election

House (All)
Senate (All)
US House (All)
US Senate (Durbin)

Indiana General Election

House (All)
Senate 2, 3, 5, 7, 8, 9, 10, 12, 13, 16, 18, 20, 24, 28, 30, 32, 33, 34, 35, 36, 37, 40, 42, 44, 50
Constitutional Officers:
Governor, Lieutenant Governor, Attorney General, Superintendent of Public Instruction
US House (All)

Iowa General Election

House (All)
Senate (Even)
US House (All)
US Senate (Harkin)

Kansas General Election

House (All)
Senate (All)
US House (All)
US Senate (Pat Roberts)

Kentucky General Election

House (All)
Senate (Odd)
US House (All)
US Senate (McConnell)

BUDGETS IN BRIEF: CALIFORNIA

Gov. Arnold Schwarzenegger (R) has scheduled an emergency session for the day after the election. The session will address the budget deficit, the foreclosure crisis and an economic stimulus package (LOS ANGELES TIMES). • Payday lenders have poured \$30 million into initiatives on the ballot in ARIZONA and OHIO. The initiatives are targeted at laws that kicked in this year in the two states — where payday-lending branches outnumber Starbucks and McDonalds combined — capping annual interest rates at 36% and 28%, respectively, effectively outlawing payday lenders, whose business model has depended on average annual rates of 391% (WALL STREET JOURNAL). • Reacting to a plan by INDIANA to privatize its state lottery, the U.S. Department of Justice issued an opinion maintaining that states may contract with private management firms to operate their lotteries but must maintain control over the lotteries' major business decisions. ILLINOIS officials fear the ruling may scuttle their multibillion dollar road, bridge and school construction plan (QUAD-CITY TIMES [DAVENPORT]). • RHODE ISLAND officials announced plans last week to raise \$350 million by selling short-term bonds to financial institutions, small businesses and residents. State leaders have authorized bond sales for three years running but never directly to state citizens (PROVIDENCE JOURNAL). • The Center on Budget and Policy Priorities reported an inflation-adjusted, median revenue decline of 5.5 percent in the 15 states with available data for the quarter that ended in September. The preliminary figure suggests states could see their biggest revenue decline in more than six years (WALL STREET JOURNAL).

— Compiled by KOREY CLARK

Upcoming elections (cont.)

10/29/2008 - 11/19/2008

Louisiana General Election

US House (Congressional Districts 1, 5, 6, 7)
US Senate (Mary L. Landrieu)

Louisiana Special Election

House District 18
Senate District 9

Louisiana 2nd Closed Party Primary

US House (Congressional Districts 2, 4)

Maine General Election

House (All)
Senate (All)
US House (All)
US Senate (Collins)

Maryland General Election

US House (All)

Massachusetts General Election

House (All)
Senate (All)
US House (All)
US Senate (John F. Kerry)

Michigan General Election

House (All)
US House (All)
US Senate (Carl Levin)

Minnesota General Election

House (All)
US House (All)
US Senate (Norm Coleman)

Minnesota Special Election

Senate District 16, Betsy L. Wergin;
District 63, Dan Larson

Mississippi General Election

US House (All)
US Senate (Cochran)

Mississippi Special Election

US Senate (Wicker)

Missouri General Election

House (All)
Senate (All)
Constitutional Officers:
Governor, Lieutenant Governor, Secretary
of State,
Treasurer, Attorney General
US House (All)

Politics & leadership

BATTLE FOR NY SENATE MAY BE PRICIEST EVER: As of last week, the candidates and party committees vying for control of the NEW YORK Senate had spent well over \$40 million, according to an analysis of campaign filings by the New York Public Interest Research Group. The government watchdog organization estimated that by Election Day, that figure would likely surpass the \$43.6 million campaign spending record the state set in 2006.

One reason for the big spending is the closeness of the battle. The Senate is currently split 31-29 in favor of Republicans, with two seats open. Republicans have controlled the Senate for roughly four decades, while Democrats control both the Assembly and the governor's office. Another reason is that Gov. David Paterson (D) has broken with Albany tradition and actively supported his fellow Democrats, transferring nearly \$1 million from the state Democratic Party, which he controls, to the campaigns of several candidates in the last few weeks. Then there's the fact that there are 10 seriously contested races this year, significantly more than in past years. On top of that, Republican voter rolls have been declining in the state, and many believe that Barack Obama's coattails could turn out to be pretty long.

Consequently, Republicans have also outspent Dems by as much as 50 percent over the last three weeks, which has helped to fuel their optimism.

"Our fund-raising continues at a record pace, and we're headed toward Election Day with tremendous momentum," said Joseph E. Conway, a GOP campaign spokesman.

Democratic campaign spokesman Austin Shafran countered that "Senate Republicans have spent a lot without getting the results," adding, "For 40 years, the Republican Senate has failed to meet the needs of working families, and now their time is up."

Judging from the last three weeks of campaign finance reports, however, the battle remains tight and fluid. (NEW YORK TIMES)

STOCK MARKET CRASH COULD DOOM BALLOT MEASURES: Wall Street's collapse couldn't have come at a much worse time for supporters of some of the 153 ballot measures on state ballots this week. Election experts say the financial crisis is likely to discourage voters from supporting some of the dozen-plus bond measures on the ballot in eight states, such as CALIFORNIA's Proposition 1A, which would authorize \$10 billion in bonds to help fund a high-speed bullet train between Los Angeles and San Francisco.

"The voters are thinking they're going to tighten their belts now, and I expect they're going to think government ought to tighten its belt too," said John Matsusaka, president of the Initiative and Referendum Institute at the University of Southern California.

Less certain is what impact the financial crisis will have on tax-cutting measures like MASSACHUSETTS' Question One, which would eliminate the state's 5.3 percent personal income tax by 2010. The measure would necessitate enough government belt tightening to cut off circulation and force the amputation of state services. But it would also mean more money in the pockets of taxpayers. Recent polls show voters oppose the measure by a sizeable margin, but opponents aren't getting complacent, mindful that a similar measure nearly passed in 2002.

"I'm heartened by the polls, but I'm operating as if it's as close as I feared it would be," said Michael J. Widmer, president of the Massachusetts Taxpayers Foundation, a business-sponsored watchdog group that opposes the initiative.

Even more of a puzzler is SOUTH DAKOTA's Measure 9, which would ban the short-selling of stocks, a practice some federal officials say contributed to Wall Street's current woes. The practice is already regulated by the Securities and Exchange Commission, but supporters say the feds don't enforce the ban strongly enough. The measure actually qualified for the ballot about a year ago, drawing a ribbing at the time from one local newspaper, which described the proposal as "baffling and, probably, unnecessary." Now it seems downright prophetic. (WALL STREET JOURNAL, NEW YORK TIMES)

POLITICS IN BRIEF: Despite U.S. Sen. Ted Stevens' (R-ALASKA) conviction last month on seven felony counts of lying on his financial disclosure forms, the Last Frontier State Republican Party is still backing his re-election bid. The GOP hopes doing so will allow it to hold onto the seat even if Stevens eventually resigns, necessitating a special election (NEW YORK TIMES). • The MASSACHUSETTS Senate unanimously passed a resolution asking embattled Sen. Dianne Wilkerson (D) to resign immediately following allegations that she accepted eight bribes worth \$23,500 in an FBI undercover operation. Wilkerson, who faces up to 40 years in prison if convicted,

Upcoming elections (cont.)

10/29/2008 - 11/19/2008

Montana General Election

House (All)

Senate 2, 3, 6, 7, 9, 10, 16, 18, 19, 21, 22, 24, 26, 27, 33, 34, 36, 37, 38, 41, 43, 45, 46, 47, 50

Constitutional Officers:

Governor, Lieutenant Governor,

Secretary of State,

Attorney General, Auditor,

Superintendent of Public Instruction

US House (Rehberg)

US Senate (Baucus)

Nebraska General Election

Legislature (Odd)

US House (All)

US Senate (Hagel)

Nevada General Election

Assembly (All)

Senate (Central Nevada, Clark 1, 3, 4, 5, 6, 7, 11,

Northern Nevada, Washoe 3)

US House (All)

New Hampshire General Election

House (All)

Senate (All)

Constitutional Officers:

Governor

US House (All)

US Senate (John E. Sununu)

New Jersey General Election

US House (All)

US Senate (Lautenberg)

New Mexico General Election

House (All)

Senate (All)

US House (All)

US Senate (Domenici)

New York General Election

Assembly (All)

Senate (All)

US House (All)



refused, saying she will continue her write-in campaign to hold on to her office (BOSTON GLOBE). • Worried about being buried by provisional ballots, county election officials in **FLORIDA** have broken ranks with Secretary of State Kurt Browning and announced that they'll give voters flagged under the state's "no match, no vote" law who are able to verify their eligibility at the polls regular ballots. Browning wanted 12,000 voters whose registration information didn't match that in state databases to be given provisional ballots (ST. PETERSBURG TIMES). • Also in **FLORIDA**, in response to historic voter turnout, Gov. Charlie Crist (R) ordered election supervisors last week to extend the hours for early voting, four more hours each weekday and four more weekend hours than currently specified under Sunshine State law (PALM BEACH POST). • **PENNSYLVANIA** Sen. James Rhoades (R) was killed in a head-on collision over the weekend. A seven-term veteran of the Senate and chairman of the chamber's Education Committee, Rhoades, 66, was running for re-election (STATE NET).

In case you missed it

The coming election will mark a huge social change in America, with the election of either the first black president or the first woman vice president. But as we reported in the Oct. 20 issue of SNCJ, Election Day could also be a watershed for millions of gay and lesbian Americans who seek marriage equality.

In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/10-20-2008/html

— Compiled by **KOREY CLARK**

Governors

GOVNS DISAGREE ON FEDERAL BAILOUT FOR STATES: With state budgets floundering amidst the national economic slowdown, Democratic governors Gov. David Paterson of NEW YORK and Jon Corzine of NEW JERSEY last week urged Congressional lawmakers to approve a second federal stimulus package that would fund state infrastructure projects and prevent social

programs like unemployment insurance from running out of money.

“The federal government ignores state and local governments at serious peril.”

In testimony before the House Ways and Means Committee Chairman, Paterson compared the

states' dour fiscal situation with the ongoing malaise on Wall Street. “Just like the financial services industry, we need a partner in the federal government in order to help stave off an impending calamity and stabilize our fiscal condition.” Later, at a joint news conference, Corzine noted that states have already made drastic cuts in their budgets, and may have to slice \$100 billion more in the next fiscal year without federal help. He sounded a dire warning at that prospect, saying, “the federal government ignores state and local governments at serious peril.”

Most of the assorted city officials and others who accompanied the governors to Washington D.C. sang the same tune, sometimes literally. Trenton, NJ major Douglas H. Palmer, for instance, proposed that Congress approve \$90 billion in aid to cities, which he said would be used to fund highway, transit and other infrastructure as well as schools, public housing and other uses.

“In the words of that great poet John Lennon, I say ‘Help! I need somebody, not just anybody,’” Palmer quipped.

SOUTH CAROLINA Gov. Mark Sanford (R), however, was clearly not on the same sheet of music. He vociferously argued against the proposals, saying the added debt would cause significant long-term damage to his state and the U.S. economy. “As the old saying goes, the first step to getting out of a hole is to quit digging,” Sanford said before the House Ways and Means Committee. “I think this certainly applies to the mountain of debt now facing our country.”

Sanford also questioned whether the stimulus package would do more harm than good to the very states that are seeking it out. “I beg you not to approve a \$150 billion stimulus package, for the unintended consequences it would bring for my state, all states in the union and our kids and grandkids,” Sanford told the House panel. “If you go ahead with this, the question has to be asked, ‘who bails out the bail-outer?’”

In spite of Sanford’s plea, lawmakers ultimately agreed to continue working on a stimulus proposal, which they plan to reveal when Congress reconvenes on Nov. 17. (WALL STREET JOURNAL, REUTERS, NEW YORK TIMES, THE STATE [COLUMBIA]).

GOVS URGE AUTO BAILOUT: A half dozen governors called on Treasury Secretary Henry Paulson and Federal Reserve Chairman Ben Bernanke to take “immediate action” to help financially-troubled U.S. automakers. In an open

Upcoming elections (cont.)

10/29/2008 - 11/19/2008

North Carolina General Election

House (All)
Senate (All)
Constitutional Officers:
Governor, Lieutenant Governor,
Secretary of State,
Treasurer, Attorney General, Auditor,
Insurance Commissioner,
Labor Commissioner, Superintendent of
Public Instruction
US House (All)
US Senate (Dole)

North Dakota General Election

House (Even)
Senate (Even)
Constitutional Officers:
Governor, Lieutenant Governor,
Treasurer, Auditor,
Commissioner of Insurance, Supt of
Public Instruction,
Public Service Commissioner 3
US House (All)

Ohio General Election

House (All)
Senate (Even)
Constitutional Officers:
Attorney General
US House (All)

Oklahoma General Election

House (All)
Senate (Odd)
Constitutional Officers:
Corporate Commissioner 1 & 3
US House (All)
US Senate (James M. Inhofe)

Oregon General Election

House (All)
Senate 1, 2, 5, 9, 12, 14, 18, 21, 22, 23,
25, 27, 28, 29, 30
Constitutional Officers:
Secretary of State, Treasurer, Attorney
General
US House (All)
US Senate (Smith)

Pennsylvania General Election

House (All)
Senate (Odd)
Constitutional Officers:
Treasurer, Attorney General, Auditor
General
US House (All)

letter, the governors of MICHIGAN, DELAWARE, KENTUCKY, NEW YORK, OHIO and SOUTH DAKOTA said that domestic automakers are “particularly challenged” in the down economy and warn that, “as a result, the financial well-being of other major industries and millions of American citizens are at risk.” The request came as General Motors, the world’s second largest automaker, is lobbying the Bush administration and Congress for \$10 billion to \$15 billion in aid to help keep the company going and possibly to make a proposed merger with Chrysler work. White House spokeswoman Dana Perino said officials are talking with the automakers. “We understand that they’ve been facing tough times for a while. They’ve made business decisions that unfortunately have put them in this position. But we also recognize how big the companies are, how many families rely on these companies, and what it would mean for the overall economy,” Perino said. (CNNMONEY.COM, DETROIT FREE PRESS)

PRIVATIZATION PLANS GO DOWN:

INDIANA Gov. Mitch Daniels (R) dropped his plan for privatizing the Hoosier Lottery to pay for a college scholarship program for low-income students after the U.S. Department of Justice said doing so would violate federal law. Several other states, including CALIFORNIA, NEW JERSEY, ILLINOIS, COLORADO, FLORIDA, MICHIGAN, TEXAS and NEW YORK, have proposed selling off their lotteries to pay for various projects. Meanwhile, Albertis Infrastructures of Spain and Citi Infrastructure Investors withdrew their bid to lease the PENNSYLVANIA Turnpike for 75 years for an upfront payment of \$12.8 billion after the bid expired on September 30. Gov. Ed Rendell (D) had touted the proposed lease as a key source of funding the state’s highway, bridge and mass transit programs, but the proposal met strong legislative opposition. (SOUTH BEND TRIBUNE, STATE NET)

Upcoming elections (cont.)

10/29/2008 - 11/19/2008

Rhode Island General Election

House (All)
Senate (All)
US House (All)
US Senate (John F. Reed)

South Carolina General Election

House (All)
Senate (All)
US House (All)
US Senate (Graham)

South Dakota General Election

House (All)
Senate (All)
US House (Sandlin)
US Senate (Johnson)

Tennessee General Election

House (All)
Senate (Even)
US House (All)
US Senate (Lamar Alexander)

Texas General Election

House (All)
Senate 4, 6, 9, 10, 11, 16, 20, 21, 23, 24,
26, 27, 28, 30, 31
US House (All)
US Senate (Cornyn)

Texas Special Election

House Dist 81 (George E. “Buddy” West);
Dist 55
Senate District 17 (Kyle Janek)

Utah General Election

House (All)
Senate 1, 5, 6, 8, 10, 13, 14, 16, 19, 20,
23, 24, 25, 27, 29
Constitutional Officers:
Governor, Lieutenant Governor,
Treasurer,
Attorney General, Auditor
US House (All)

Vermont General Election

House (All)
Senate (Districts 1 through 13)
Constitutional Officers:
Governor, Lieutenant Governor,
Secretary of State,
Treasurer, Attorney General, Auditor of
Accounts
US House (All)



HEINEMAN CALLS SAFE HAVEN SPECIAL SESSION: Faced with a growing number of parents who are abandoning their children, NEBRASKA Gov. Dave Heineman (R) has called for a special legislative session to amend the Cornhusker State’s Safe Haven Law. Heineman said several weeks ago that he wanted to make amending the law, which prohibits parents from being prosecuted for leaving a child at a hospital, to be a priority during the next regular session. But an unexpected flood of children as old as 17 — including some brought in from other states — has forced him to move that timetable up. The NEBRASKA statute, which was enacted only a few months ago, is the most lenient in the nation. While most Safe Haven Laws have age limits ranging from three days to about a month, NEBRASKA’s law has no age-specification. “This law needs to be changed to reflect its original intent” Heineman said. The session — First Special Session (2007010) — begins on November 14. (STATE NET, ASSOCIATED PRESS)

GOVERNORS IN BRIEF: Citing recent data losses and service problems, TEXAS Gov. Rick Perry (R) halted a massive data center consolidation by IBM Corp. involving dozens of state agencies until officials review the problems. Perry said his action does not impact the status of the state’s seven-year \$863 million technology services contract with IBM (AUSTIN AMERICAN-STATESMAN). • OREGON Gov. Ted Kulongoski (D) unveiled a sweeping energy package that would, among other things, set a goal of building houses and commercial buildings that emit no carbon by 2030 and allow the state’s businesses to buy and sell carbon credits. Lawmakers must approve the proposals during the next legislative session (OREGONIAN [PORTLAND]). • Faced with unusually large crowds seeking to vote early last week, FLORIDA Gov. Charlie Crist (R) issued Executive Order 08-217, which extended hours at all 267 early voting sites four hours each weekday and four hours on the weekend (FLORIDA GOVERNOR’S OFFICE).

— Compiled by RICH EHISEN

Hot issues

BUSINESS: The Bush Administration asks a federal court to lift an injunction against its effort to force approximately 140,000 business owners nationwide to resolve Social Security number discrepancies with an estimated 8.7 million workers. A federal court in CALIFORNIA blocked the original Social Security “no-match” letter initiative in 2007, saying it would have “staggering” and “severe” effects on workers and businesses (WASHINGTON POST).

that counts the percentage of ninth-graders who earn a diploma within four years. The new rules also require officials at low-performing schools to better inform parents that certain children must be given an opportunity to participate in government-funded tutoring or transfer to a higher-performing school (WASHINGTON POST). • A CALIFORNIA court issues a temporary restraining order to block a mandate that all Golden State eighth-graders be tested in Algebra 1 as early as 2011. The court said the requirement to do the testing, which came at the request of Gov. Arnold Schwarzenegger (R), was made in haste and needs further consideration before being implemented (SAN FRANCISCO CHRONICLE). • The ARIZONA Supreme Court agrees to review a lower court's ruling that the Grand Canyon State's two school voucher programs violate a state constitutional ban on using public money to help private and religious schools. No hearing date has been set (ARIZONA REPUBLIC [PHOENIX]).

HEALTH & SCIENCE: The CALIFORNIA Board of Registered Nursing unanimously approves emergency regulations that require all Golden State licensees to submit fingerprints. The new rules will allow law enforcement agencies to flag the board any time a nurse is arrested. The rules must also be approved by the state's Office of Administrative Law (LOS ANGELES TIMES).

POTPOURRI: A federal judge rules that homeless people in OHIO cannot be denied the right to vote because they don't have an official address. The judge also ruled that provisional ballots can't be invalidated because of poll worker errors (USA TODAY). • A federal judge in PENNSYLVANIA orders election officials to issue emergency paper ballots if 50 percent or more of any precinct's machines fail at any one time on Election Day. The judge said that delays caused by voting-machine breakdowns could unduly burden citizens and deprive them of their right to vote (PHILADELPHIA INQUIRER). • A federal court rules that MICHIGAN cannot remove voters from the rolls simply because their voter registration cards are returned as undeliverable. The 6th U.S. Circuit Court of Appeals said that voters are considered registered when applications are approved and names are added to the rolls and not if or when they receive a card in the mail. The verdict upholds a lower court's injunction against removing 5,500 names from the list of eligible voters (ASSOCIATED PRESS).

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In the hopper

At any given time, State Net tracks tens of thousands of bills in all 50 states, the US Congress and the District of Columbia. Here's a snapshot of what's in the legislative works:

Number of 2008 prefiles last week: 71

Number of 2009 prefiles last week: 93

Number of Intros last week: 148

Number of bills enacted/adopted last week: 43

Number of 2008 prefiles to date: 21,530

Number of 2009 prefiles to date: 1,824

Number of Intros to date: 91,710

Number of bills enacted/adopted overall to date: 27,868

— Compiled By JAMES ROSS
(measures current as of 10/30/2008)
Source: State Net database



has to wonder, then, what Bush 41 might think of French President Nicolas Sarkozy's current dilemma. As Reuters reports, a Paris court last week rejected Sarkozy's plea to ban a publishing company from selling a voodoo doll in his likeness, complete with a manual that encourages readers to stick pins in it. The doll also comes adorned with some of Sarkozy's more salty quotes, including his telling a bystander who refused to shake his hand to "get lost you pathetic [expletive]." The court ruled that sale of the doll is legally protected "freedom of expression and humor." That was news to Sarkozy, who is considering an appeal.

— By *RICH EHISEN*

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